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DE RUEHNE #9204/01 3401248
ZNR UUUUU ZZH
R 061248Z DEC 05
FM AMEMBASSY NEW DELHI
TO RUEHC/DEPT OF LABOR WASHDC
RUEHC/SECSTATE WASHDC 7019
RUCPDO/DEPT OF COMMERCE WASHDC
INFO RUEHCI/AMCONSUL CALCUTTA 0021
RUEHCG/AMCONSUL CHENNAI 9629
RUEHBI/AMCONSUL MUMBAI 8905
RUEHGV/USMISSION GENEVA 0047
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SUBJECT: BHUTAN: LARGELY LACKING WORST FORMS OF CHILD LABOR

REF: STATE 143552

¶1. (U) In response to Reftel, post spoke to Bhutanese Ministry of Labor, Education, Employment and Works and Human Settlement officials and NGOs to answer questions posed in paragraph seven. We assess that while 45,000 children may at times work, the worst forms of child labor are largely absent in the kingdom striving for "Gross National Happiness."

¶A. Laws and regulations proscribing the worst forms of child labor:

-- Bhutan is not a member of the ILO and, therefore, has not ratified Convention 182. Bhutan has ratified the UN Convention on the Rights of the Child, the SAARC Convention on Prevention and Combating the Trafficking Women and Children for Prostitution, and the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia.

-- There is currently no minimum age for employment and children often work on family farms and shops after school and during holidays. It is difficult to quantify how many children are working in Bhutan. One approach used by UNICEF is to assume that a high proportion of students above the age of ten who are not attending school are working. Citing the National Literacy Survey of 2003, which reported that for 10 to 14 year olds, the proportion out of school is 4 percent for urban boys, 13 percent for urban girls, 29 percent for rural boys and 35 percent for rural girls, one can estimate that there are 45,000 children working in Bhutan. A large majority of these children work for their families.

-- During 2005, the Royal Government of Bhutan introduced, and will likely pass, the Labor and Employment Act, which will specify the kind of work that is permissible for children at different ages.

¶B. (U) Regulations for the implementation and enforcement of proscriptions against the worst forms of child labor:

-- Bhutan does not have a nodal agency to implement and enforce child labor laws. However, the National Commission for Women and Children (NCWC), created in 2004, monitors such issues nationwide and promotes the rights of women and children. The Bhutanese Penal Code, enforced by the Home

Ministry through the Royal Bhutanese Police, has statutes protecting children from any sort of violence, specifically, child abuse, endangerment, trafficking and mental abuse.

1C. (U) Social programs to prevent and withdraw children from the worst forms of child labor:

-- In April 2005, UNICEF and the NCWC co-hosted a two day event to address a number of issues affecting children. The two groups agreed that Bhutan was free from extreme forms of violence against children, but that more subdued acts do occur. International standards deems any physical work that is stressful and at times harmful as abuse, and common chores in Bhutan, such as collecting firewood, fetching water and tending to cattle fit into this category.

-- Bhutan took part in the first ever South Asia regional consultation on violence against children in May 2005, pledging to work with other countries in the region to eliminate child abuse in the home, schools, work situations, and the community.

-- The RGOB has been successful in removing corporal punishment from the school system.

1D. (U) Does the country have a comprehensive policy aimed at the elimination of the worst forms of child labor?

-- The worst forms of child labor are extremely rare, if they occur at all in Bhutan. Bhutan's rapidly growing school system is the most effective deterrent to the worst forms of child labor encroaching into the country. Bhutan spent 16

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percent of its national budget during 2004 on the school system, increasing attendance by 4.4 percent over the prior year. Gross primary enrollment is estimated at a relatively high 87.7 percent. Also, the recently created NCWC and the soon to be ratified Labor and Employment Act, will give the government greater visibility of the problem and expanded legal authority to prosecute cases.
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